

REGULAR CITY COUNCIL MEETING
April 14, 1997

PRESENT

Don Dafoe
Gayle Bunker
Robert Dekker
Robert Droubay
Dale Roper
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Dorothy Jeffery
Neil Forster

City Recorder
Public Works Director

OTHERS PRESENT

Richard Waddingham
Karen Johnson
Greg Schafer
Judy Baker
Deb Greathouse
Derin Phelps
Ruth Hansen
Georgia Hare
4 Scouts

City Attorney
City Employee
City Employee
City Treasurer
City Librarian
Millard County Chronicle/Progress
City Resident/Library Board Member
Central Utah Mental Health

Mayor Dafoe called the meeting to order at 7:00 p.m. Karen Johnson, City Employee, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Dale Roper offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of the Regular City Council Meeting held March 24, 1997 were presented for consideration and approval. Council Member Robert Dekker noted that in the discussion of flag poles on Page 2, the reference to the flag poles in Fillmore should read "30', 35' and 40'". Following discussion, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held March 24, 1997, with the change mentioned regarding the flag

poles. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Mayor Dafoe noted that the accounts payable include a bond payment on the City Building in the amount of \$20,000 and a \$31,154 expenditure which is a "pass through" to Millard County. Following discussion of the accounts payable, Council Member Dale Roper MOVED to approve the accounts payable in the amount of \$84,383.05. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

CITY ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO BUSINESS LICENSE ORDINANCE.

No action was taken by the City Council.

CITY ATTORNEY RICHARD WADDINGHAM: ORDINANCE RELATING TO REGULATION OF SEXUALLY ORIENTED BUSINESSES.

City Attorney Richard Waddingham advised the Council that in order to complete work on this ordinance, he needs to have a zone assigned. In addition, the Council needs to determine distances from other entities, such as schools, etc. Attorney Waddingham also requested that Council Members review the draft ordinance which he has prepared to determine what items they would like to change in the draft ordinance.

Council Member Gayle Bunker suggested that the Council refer the proposed ordinance to the Planning & Zoning Commission for their suggestions as to zoning and distances from schools, etc. It was decided that the Planning & Zoning Commission will review the zoning at their next meeting. In addition, Council Members will review the proposed ordinance for any changes they suggest and the item will be discussed at the next Council Meeting.

MAYOR DON DAFOE: PROPOSED ZONE CHANGE FOR PROPERTY LOCATED AT 61 SOUTH 200 WEST AND 71 SOUTH 200 WEST.

Mayor Dafoe advised the Council that this zone request was initiated by Millard County for the purpose of building a new office complex on this property. They have requested that the property be rezoned from Multiple Family Residential (R-4) to Commercial Development (C-D). A Public Hearing was held previous to this meeting. The Planning & Zoning Commission has recommended that the zone change request be granted on the condition that the two "Yield" signs

on 100 South at 200 West be changed to "Stop" signs. Millard County intends to construct their new building immediately South of the existing building; then, when the new building is ready to be occupied, they will move into the new building, demolish the existing building, and convert the property into parking area. The main impetus for the request for zone change is the fact that if the property remains zoned R-4, there is not sufficient area to construct the new building on the property and be in compliance with property set back requirements of the R-4 zone. By changing the zone to C-D, the building can be constructed closer to the sidewalk on 100 South. The building will be set back 25 feet from 200 West.

Mayor Dafoe stated that the next item on the agenda is another zone change request by Millard County and both zone changes have been incorporated into the same ordinance, so action on both requests will be taken with the next agenda item.

MAYOR DON DAFOE: PROPOSED ZONE CHANGE FOR PROPERTY LOCATED AT 840 EAST BRISTLECONE LANE AND ADJACENT PROPERTY TO THE EAST.

Mayor Dafoe stated that this is another proposed zone change requested by Millard County for property located at 840 East Bristlecone Lane, which is the property just east of, and including, the Millard County Sheriff's Posse building in the White Sage area. The request is to change the zone from Residential Development (R-D) to Public/Quasi-Public (P/QP), which is the same zoning as the Millard County Fairgrounds and White Sage ball park located to the east of this property.

The Planning & Zoning Commission has recommended that the City Council hold a public hearing for the purpose of receiving public comment and has also recommended that the zone change be approved. The Public Hearing was held prior to this meeting with no negative public comment. Mayor Dafoe presented Ordinance No. 97-179 for approval as follows:

ORDINANCE NO. 97-179

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH, AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY LOCATED AT APPROXIMATELY 71 SOUTH 200 WEST AND 61 SOUTH 200 WEST IN DELTA, UTAH FROM R-4 (MULTIPLE FAMILY RESIDENTIAL) TO C-D (COMMERCIAL DEVELOPMENT) AND TO RECLASSIFY CERTAIN PROPERTY LOCATED AT APPROXIMATELY 840 EAST BRISTLECONE LANE IN DELTA, UTAH FROM R-D (RESIDENTIAL DEVELOPMENT) TO P/QP (PUBLIC/QUASI-PUBLIC).

Council Member Gayle Bunker MOVED to adopt Ordinance No. 97-179 approving the zone change from Multiple Family Residential (R-4) to Commercial Development (C-D) for property located at approximately 61 South 200 West and 71 South 200 West; and also approving the zone change from Residential Development (R-D) to Public/Quasi-Public (P/QP) for property located at approximately 840 East Bristlecone Lane, and the adjacent property to the east thereof. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any

comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Gayle Bunker	Yes
Robert Dekker	Yes
Robert Droubay	Yes
Dale Roper	Yes
Glen Swalberg	Yes

Council Member Robert Dekker stated that, for the record, he is a Millard County employee but does not see a conflict of interest in this matter.

GEORGIA HARE: PROPOSED SPONSORSHIP OF STUDENTS TO UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND OTHER DRUG DEPENDENCIES.

Georgia Hare, Central Utah Mental Health, requested that the Council approve funds for the tuition and dormitory rooms for two individuals to attend the University of Utah School on Alcoholism and Other Drug Dependencies to be held June 22nd through June 27th, 1997. The total cost would be \$430.00 for two people. The tuition is \$145.00 per person and the dormitory room is \$70 per person. Ms. Hare has not yet selected the individuals to attend the conference, but will advise the Council when they are selected.

Council Member Robert Dekker MOVED to approve expenditure of \$430 for the purpose of sponsoring two individuals to attend the University of Utah School on Alcoholism and Other Drug Dependencies to be held June 22 through June 27, 1997. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: THEME FOR FOURTH OF JULY CELEBRATION.

Council Member Robert Droubay reported that the Fourth of July Committee has proposed that the theme of the Fourth of July celebration for 1997 be "Celebrating our Heritage". The committee decided that this theme would be easier to use than a theme which would include the word "Sesquicentennial".

Following brief discussion, Council Member Robert Droubay MOVED to adopt "Celebrating our Heritage" as the theme for the 1997 Delta City Fourth of July celebration. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Glen Swalberg mentioned that, if anything is going to be done with the project to have family heritage skits, we should get the word out right away so that families and groups have time to participate.

COUNCIL MEMBER ROBERT DROUBAY: LIBRARY EXPANSION.

Council Member Robert Droubay reported that the Library Board is comfortable with the basic design of the addition which has been proposed, but they are requesting direction from the Council as to what should be done next. Mayor Dafoe advised the Council that he had contacted the architectural firm of Markham & Markham, in Provo, to get some idea about what it would cost to get drawings done. This is the firm that did the drawings for the addition on the Swimming Pool, and also designed the new Service Drug building. Markham & Markham told Mayor Dafoe that their architectural fees for new construction are 6% of the bid for construction. The fee for an addition is 8% of the bid for construction. Mayor Dafoe asked what the fees would be for a set of plans and specifications and was told that if the project cost was \$400,000, the architectural fees would be \$32,000, but the cost of plans and specifications only would be 80% of the \$32,000, or about \$25,000 - \$26,000. Markham & Markham advised Mayor Dafoe that the project would probably cost approximately \$80/sq. foot.

Mayor Dafoe advised the Council that the City is going to have to obtain some funding to help with the library expansion project and that funding will require that certain engineering guidelines are met. There was extensive discussion regarding the cost of the project. Following the discussion, several Council members suggested that other architectural firms be contacted to ask for estimated fees. The Council agreed that the next step would be to contract with an architectural firm to draw plans.

There was discussion regarding the funds available for library expansion. Mayor Dafoe reported that we currently have \$21,000 set aside for library expansion, along with the Library Trust Fund which is set aside for that purpose. In addition, the City Building will be paid for in two years, and it may take two years to get to the point where we can apply for grants. Mayor Dafoe mentioned that, when the City Building is paid off, a bond election could be held to roll the money which is being paid on the City Building into payment on the library expansion.

It was determined that Mayor Dafoe will contact some other architectural firms and bring a report to the next Council Meeting for further discussion regarding a contract for plans and specifications.

COUNCIL MEMBER GAYLE BUNKER: PLANNING & ZONING COMMISSION APPOINTMENTS.

Council Member Gayle Bunker reported that the terms of Rick Moultrie and Sharlynn Goold expired in February and both need to be replaced. Council Member Bunker distributed a list of suggested candidates for appointment to the Planning & Zoning Commission. Council Member Bunker has not yet contacted any of the suggested candidates.

The Council suggested that Council Member Bunker contact the list of candidates to see which ones might be interested in serving on the Planning & Zoning Commission and report back to the next Council Meeting for action on appointment.

MAYOR DON DAFOE: SET PUBLIC HEARING TO AMEND FY 1996-1997 BUDGET TO INCLUDE TWO GRANTS FOR LIBRARY (TECHNOLOGY UPGRADE AND NON-FICTION BOOK GRANT).

Mayor Dafoe explained that this item was overlooked when we recently amended the Fiscal Year 1996-97 Budget. Mayor Dafoe advised the Council that Deb Greathouse, Librarian, had applied for, and received, two library grants. One grant was a Technology Upgrade for upgrade of the computer system and server in the Library, in the amount of \$4,000. This was a matching funds grant and Delta City is using \$5,500 from the Library Trust Fund to make up the balance of the computer system upgrade. The other grant is \$10,000 for upgrade of the Adult Non Fiction books. The annual library book budget is \$10,000, so this grant doubles our annual book budget for the year.

Council Member Robert Droubay commended Deb Greathouse for the work that she does in obtaining library grants for us.

Council Member Gayle Bunker MOVED to set a public hearing for Monday, April 28, 1997 at 6:45 p.m. for the purpose of receiving public comment regarding an amendment to the Fiscal Year 1996-1997 Budget, and also set a public hearing for Monday, April 28, 1997 at 6:50 p.m. for the purpose of receiving public comment regarding a zone change from Multiple Family Residential (R-4) to Commercial Development (C-D) for the property located between 50 South and 100 South and between 100 West and 200 West, which is currently owned by Utah Power & Light. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Gayle Bunker requested that Mayor Dafoe send a letter to Rick Moultrie and Sharlynn Goold thanking them for their service on the Planning & Zoning Commission. Mayor Dafoe will send the letters as requested.

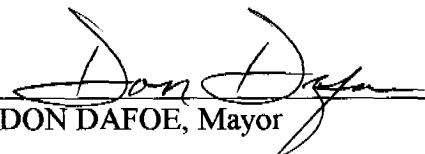
Council Member Gayle Bunker stated that there is a severe problem where "No Parking" signs need to be placed on 100 North between 100 East and 150 East, 50 East between 100 North and 200 North, and 150 East between 100 North and 200 North. The process for approval to place the signs was completed approximately a year ago, but the signs have not yet been installed. Mayor Dafoe advised the Council that the City crew has been very busy and has not had time to erect the signs. Mayor Dafoe also mentioned that there are several areas in the city which need "No Parking" signs and suggested that Council Members bring proposals to the next City Council Meeting. City Attorney Waddingham reminded the Council that a public hearing must be held and an Ordinance adopted before any signs are installed. This item will be placed on the agenda

for the next City Council Meeting to discuss which areas need parking restrictions and a public hearing will be set at that time.

Council Member Glen Swalberg advised that the City Council needs to be represented at two upcoming meetings. The first meeting is to be held on Friday, April 18, 1997 by Zions Bank in Delta. Mayor Dafoe will attend that meeting. The second meeting is the Millard County General Plan meeting to be held in Fillmore on Thursday, April 17, 1997. Council Member Glen Swalberg will attempt to attend the planning meeting in Fillmore on April 17th.

Mayor Dafoe asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe declared the meeting adjourned at 8:15 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 04-28-97